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# 191827

Ordinance

## Authorize Intergovernmental Agreement with the State of Oregon for \$400,000 to fund the design and construction of a segment of the Hillsdale to Lake Oswego Regional Trail

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland's Bureau of Parks & Recreation ("PP&R") promotes health, livability, and economic vitality through the effective management of the City's award-winning parks and recreation system.
2. PP&R and OPRD wish to enter into an Intergovernmental Agreement ("IGA"), attached as Exhibit A, under which PP&R will pay OPRD for services provided to the City for design, permitting, materials, and construction of the soft surface trail and associated bridges within Marshall Park and on lands owned and managed by the City and PP&R.
3. The Tryon Creek watershed extends from the West Hills of southwest Portland through Marshall Park and Tryon Creek State Natural Area to its confluence with the Willamette River in Lake Oswego. Tryon Creek is one of the few major remaining tributaries to flow freely down from Portland's West Hills. The Project will construct a new 0.44-mile-long connector trail between Marshall Park and Tryon Creek Natural Area and install five new bridges. The purpose-built trail will replace existing demand user trails and will restore native plantings within sensitive habitat along Tryon Creek. The trail will improve public safety, support public access, and support active and passive outdoor recreation.
4. The Oregon Parks and Recreation Department possesses the resources and capabilities and has been the lead agency for over a decade in developing this trail connector, and has indicated that it is willing to continue leading the project through the design, permitting, and construction phases under the appropriate contractual relationship.

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

Contact

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Capital Project Manager

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date


July 10, 2024

5. Sufficient funding for the project was allocated through a combination of Metro Regional grants, state funding, and from Portland Parks System Development Charges (SDCs). Funds are available in Park's Owner Cost Center P10574. Costs will be incurred during the 5-year Capital Budget starting FY2023/24.
6. The City desires to enter an IGA with Oregon Parks and Recreation Department with a not-to-exceed contract amount of \$400,000 for a contract term of approximately three years, with the contract to expire June 30, 2027, unless otherwise amended and approved by Director of Portland Parks & Recreation.

NOW, THEREFORE, the Council directs:

- A. The Director of PP&R is authorized to execute all documents associated with the above-noted Intergovernmental Agreement, in a form similar to Exhibit A, and to take all other actions necessary to close the transaction in accordance with the Agreement and any amendments thereto. All documents must be approved as to form by the City Attorney prior to execution.
- B. The Mayor and Auditor are authorized to expend funds required by the Agreement attached hereto and any amendments thereto.
- C. The Director of PP&R is authorized to execute amendments to the IGA adding funds so long as all funds have been duly appropriated in Parks' applicable fiscal year budget.

## Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a\\_iga-10888-marshall-park-to-tryon-creek-sna-trail.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a_iga-10888-marshall-park-to-tryon-creek-sna-trail.pdf) 19.55 MB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
July 10, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The purpose of this Ordinance is to authorize the Director of Portland Parks and Recreation to execute an Intergovernmental Agreement with a not-to-exceed amount of \$400,000 on behalf of the City with the State of Oregon acting through its Parks and Recreation Department. The IGA will authorize Oregon Parks and Recreation Department (OPRD) to design and construct a natural surface trail portion of the Hillsdale to Lake Oswego regional trail within Marshall Park, including construction of one pedestrian bridge on PP&R property.

Execution of the IGA allows Portland Parks and Recreation (PP&R) and OPRD to move forward to achieve mutual goals through developing this important Southwest Portland trail connection. PP&R will reimburse OPRD for services provided for design, permitting, materials, and construction of the new trail and associated structures. The proposed trail between Marshall Park and Tryon State Natural Area is part of the adopted Marshall Park Natural Area Habitat Management & Trail Plan (June 2009) and allows users of the SW Trails network to remain on trails rather than walking on neighborhood streets. This extends the trail constructed under SW Boones Ferry Rd installed in conjunction with the Bureau of Environmental Services' Tryon Creek restoration project which replaced an existing culvert with a new bridge and built an undercrossing for pedestrians and opened in 2021.

No revenues will be impacted by this legislation.

This legislation does not change existing City policy.

### Financial and Budgetary Impacts

City of Portland funding for this project was allocated from Parks System Development Charges (SDC) in the amount of \$700,000 for the overall PP&R budget. Of that allocation, \$400,000 will be paid to OPRD and the remaining funding will be held for PP&R staff expenses and project contingencies related to trail and bridge construction on PP&R property. OPRD's total project budget is \$904,866. The remainder of the project expenses beyond PP&R's \$400,000 contribution is the responsibility of OPRD, unless PP&R agrees otherwise.

Funds are available in Park's Owner Cost Center P10574. Costs will be incurred during the 5-year Capital Budget starting FY 2023/24.

No positions will be created, eliminated, or re-classified as a result of this legislation.

## Community Impacts and Community Involvement

Both OPRD and PP&R have engaged the public and nearby neighbors from the Marshall Park Neighborhood and Southwest Neighborhoods, inc. with regards to this trail connection several times since 2007. PP&R conducted community engagement during development of the Marshall Park Natural Areas Habitat Management and Trail Plan (adopted June 2009). OPRD also engaged neighborhood associations and agency partners from Metro and PP&R during development of the Tryon Creek State Natural Area Comprehensive Plan. Other organizations including SW Trails and the Friends of Tryon Creek have provided several letters of support for project grants and will be actively involved in trail maintenance once the trails open. Staff will reengage with these partners and members of the community, as well as Stephenson Elementary, Jackson Middle School, and Ida B. Wells High School through the Marshall Park website and informational signs in the park.

The primary method of public involvement at this phase is to inform community members about the timing of construction and future improvements.

## 100% Renewable Goal

N/A

## Budget Office Financial Impact Analysis

This action authorizes an intergovernmental agreement with the State of Oregon to fund the design and construction of a segment of Trail between parks. This agreement will be funded with \$700,000 in System Development Charges (SDC's) with \$400,000 paid to OPRD and the remaining amount used for PP&R staff expenses and project contingencies. All funding is occurred as part of Parks' 5-year Capital Budget plan.

## Document History

Item 617 Consent Agenda in [July 3, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/7/3)  
(<https://www.portland.gov/council/agenda/2024/7/3>)

City Council

Passed to second reading

Passed to second reading July 10, 2024 at 9:30 a.m.

**Item 650 Consent Agenda in [July 10, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/7/10)**  
**(<https://www.portland.gov/council/agenda/2024/7/10>)**

City Council

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea